

PHILADELPHIA

One Liberty Place, 46th Floor
 Philadelphia, PA 19103
 215-568-3100
 Fax: 215-568-3439

SEATTLE

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DATE: May 26, 2005

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Name: **MS Missing Parts**
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COVER MESSAGE:

COURTESY COPY OF RESPONSE TO MISSING PARTS ATTACHED

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DOCKET NO.: WARF-0235

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MAY 26 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

John Paul Helgeson, Sandra Austin-

Phillips, Sara Kristine Naess, Junqi Song,

Jiming Jiang, James Mathew Bradeen and

C. Robin Buell

Confirmation No.: 3588

Application No.: 10/755,966

Group Art Unit: 1645

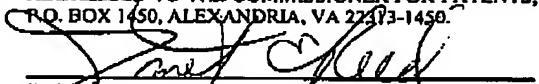
Filing Date: January 12, 2004

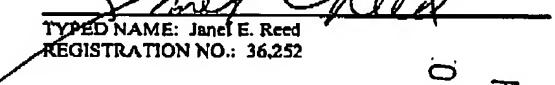
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For: Potato Genes For Resistance To Late Blight

DATE OF DEPOSIT: May 21, 2004

I HEREBY CERTIFY THAT THIS PAPER IS BEING
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TYPED NAME: Janet E. Reed
REGISTRATION NO.: 36,252

MS MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
MAY 27 2005
OIPC/JCWS

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND
REQUEST FOR EXTENSION OF TIME

In response to the "Notice to File Missing Parts of Application--Filing Date Granted" dated March 23, 2004, which sets forth a two-month period for reply ending on May 23, 2004, (said period being eligible for extensions under 37 CFR § 1.136(a)), enclosed herewith for filing is:

05/27/2005 GWORD01 00000034 233050 10755966
01 FC:1251 120.00 DA

DOCKET NO.: WARP-0235

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PATENT

Declarations and Powers of Attorney

- A Combined Declaration and Power of Attorney, executed by the inventor(s). An unexecuted copy of this document was attached to the above-identified specification.
- A Combined Declaration and Power of Attorney executed by the inventor(s) and identifying fewer/more inventors than those identified in the unexecuted declaration filed with the above-identified application specification. Such deletion/addition of inventors is specifically provided for in 37 CFR § 1.48.
- A copy of the original Declaration and Power of Attorney, executed by the inventor(s), as filed in parent application no.
- A copy of the Power of Attorney with Revocation filed on
- A Combined Power of Attorney with Revocation and Statement Under 3.73(b).
- An Associate Power of Attorney executed by _____ who is/was listed on the original Declaration/Power of Attorney.

Drawings

- 2 sheets of replacement drawings comprising Figures 2 and 3 in compliance with 37 CFR § 1.84.

Sequence Listing (Note - All items listed below are required if Sequence Listing is also being filed with Missing Parts)

- Paper copy of Sequence Listing
- Diskette containing Sequence Listing in computer readable form
- Amendment directing entry of Sequence Listing in specification
- Statement to Support Filing of Sequence Listing

Claim for Small Entity Status

- Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- Applicant(s), by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as:
 - an Independent Inventor
 - a Small Business Concern
 - a Nonprofit Organization

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Miscellaneous Items

- A copy of the Notice to File Missing Parts.
- Request for Corrected Filing Receipt.
- Request for Refund Due to Small Entity Status.
- Request for Refund Due to Fee Calculation Error.
- A substitute specification in compliance with 37 CFR § 1.52.
- Other:

Fee Calculation and Extension of Time

- Request is hereby made under 37 CFR § 1.136(a) to extend the time for response to the Notice to File Missing Parts of Application due to and through , comprising an extension of the shortened period of months:

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	Fee	RATE	Fee
MISSING PARTS SURCHARGE	\$65	\$	\$130	\$130.00
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$210	\$	\$420	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$475	\$	\$950	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$740	\$	\$1480	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$1005	\$	\$2010	\$
TOTAL FEE DUE		\$		\$130.00

- A check in amount of \$130.00 is attached to cover the surcharge and any requested extension of time. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- Please charge the surcharge to my Deposit Account No. 23-3050 in the amount of \$
- The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

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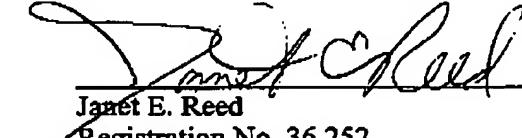
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PATENT

The Commissioner is hereby authorized to charge any underpayment or credit any overpayment of the fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is provided in duplicate.

This sheet is attached in duplicate.

Date: May 21, 2004


Janet E. Reed
Registration No. 36,252

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (C) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/622,412	07/18/2003	Russel Walters	OCU1-0002

CONFIRMATION NO. 4192

23377
 WOODCOCK WASHBURN LLP
 ONE LIBERTY PLACE, 46TH FLOOR
 1650 MARKET STREET
 PHILADELPHIA, PA 19103

FORMALITIES LETTER



OC000000012115485

Date Mailed: 03/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

05/27/2005-GWORDD01-00000034 10755966 *A copy of this notice MUST be returned with the reply.*

01 FC:1251 120.00 DA

05/27/2005 GWORDD01 00000034 10755966

02 FC:1051 130.00 DA

May-26-05 08:25pm From-WoodcockWashburn

+2155683439

T-845 P.020/020 F-998

GJW

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Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY